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SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

REPORT OF THE WORKING GROUP

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INTRODUCTION

1. At its 1398th meeting on 5 February 1992, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples decided to establish an open-ended working group with the responsibility of making recommendations on how to improve further the efficiency of its work in the light of recent developments and bearing in mind all suggestions made in the Fourth Committee and at plenary meetings of the General Assembly at its forty-sixth session.

I. COMPOSITION AND MANDATE OF THE WORKING GROUP

2. The Special Committee, at its 1399th and 1400th meetings, held on 4 and 17 March 1992, held further discussions on the open-ended Working Group and decided, as regards its composition, that any member of the Committee as well as any State Member of the United Nations could participate in the deliberations of the Working Group. Administering Powers, in particular, as well as representatives of Non-Self-Governing Territories were encouraged to participate.

3. The mandate of the Working Group as approved by the Committee at its 1400th meeting was to review issues such as:

(a) Revitalization of the Special Committee in conformity with the objectives set forth by the General Assembly in the Plan of Action for the International Decade for the Eradication of Colonialism; 1/

(b) Streamlining and consolidating of resolutions and other documents issued by the Special Committee, as well as their language;

(c) Review of the method of work of the Committee, its agenda and list of Territories;

(d) Cooperation of the administering Powers, bearing in mind the statement of the Secretary-General to the organizational meeting of the Committee held on 5 February 1992, 2/ and, in this connection:

(i) How best to secure their full participation in the work of the Committee;

(ii) How to restore the practice of regular visiting missions to which the Committee attaches the highest importance as a means of obtaining first-hand information on the situation in the Non-Self-Governing and other Territories within the purview of the mandate of the Committee;

(iii) How to ensure that the administering Powers provide the Committee with regular, timely and up-to-date information on the Territories

under their administration, in accordance with Article 73 e of the Charter of the United Nations;

(iv) The related issue of how to obtain greater participation of representatives of the Non-Self-Governing and other territories within the purview of the mandate of the Committee in the work of the Committee.

II. PROGRAMME OF WORK

4. The Working Group held a total of nine meetings between 18 March and 28 May 1992. It decided, at its 1st meeting, that its consideration of the issues at stake should start from the work already completed by the Working Group in 1991 3/ while following closely its mandate as indicated in the terms of reference approved by the Committee. Each of the issues listed in its terms of reference was discussed extensively. A representative of New Zealand, as an administering Power, as well as a representative of the Governor of the United States Virgin Islands, participated in the deliberations of the Working Group.

III. CONCLUSIONS AND RECOMMENDATIONS

A. Revitalization of the Special Committee in conformity with the objectives set forth by the General Assembly in the Plan of Action for the International Decade for the Eradication of Colonialism

5. The Working Group has examined the question of the revitalization of the Special Committee at its 1st to 5th meetings, on 18 and 19 March, 14 April, and 3 and 7 May 1992. The Working Group has taken note of the decision of the Committee to organize a regional seminar in the Caribbean in 1992 within the framework of the Plan of Action for the International Decade for the Eradication of Colonialism as approved by General Assembly resolution 46/181 of 19 December 1991. The Working Group considers as vital the participation of representatives of the Caribbean Non-Self-Governing Territories in that Seminar. The Group notes with satisfaction that two of those representatives will be invited from each Territory to participate in the Seminar to be held in Grenada from 17 to 19 June 1992. The Working Group recommends in that regard that particular attention should be paid by the Committee to the views that those representatives express at the Seminar. The two regions in which the majority of Non-Self-Governing Territories are located, the Pacific and the Caribbean, may benefit from each other's experience if they are given an opportunity to exchange views on common problems. It is therefore important that the Seminar in Grenada should include some representation from the Pacific region, it being understood that the Caribbean region will be represented in a seminar which will be held in the Pacific. The Working Group is convinced that, as in the past, the input of the Territories concerned will contribute to the revitalization of the Committee.

6. The Working Group also considers that an intensification of the dissemination of information on United Nations activities in the field of decolonization should be part of the efforts to revitalize the Committee. The Working Group notes that the peoples of the Territories are not sufficiently informed on United Nations actions relating to their situation. The Working Group recommends that the Department of Public Information should take the appropriate measures to establish or strengthen the channels of communication - both ways - between the Territories concerned and the United Nations.

B. Streamlining and consolidation of resolutions and other documents issued by the Special Committee

7. The Working Group considers that this item covers in broad terms issues such as references to apartheid, the practice of name-calling, the agenda item relating to foreign economic and other interests and military arrangements and installations in Non-Self-Governing Territories and other Territories under the purview of the Committee and the language of its resolutions.

1. Consolidation of resolutions

8. The Working Group notes that an important step was taken by the Committee in 1991 when it consolidated resolutions on 10 Territories into a single resolution and that the reaction to that important initiative of the Committee has been generally favourable. The Chairman informed the Working Group, however, that the authorities of one of the Territories concerned, Guam, had brought to his attention that the section on Guam in the consolidated resolution did not reflect all the current concerns of the Territory. Considering that there is still room for improvement, the Working Group recommends that the practice of consolidating resolutions should be continued and that every effort should be made to improve the sections relating to each individual Territory so as to reflect more accurately the current concerns of the Territories under consideration.

2. Reference to apartheid

9. The Working Group considered the issue at length in 1991 and agreed that the question of apartheid should be discussed under the relevant resolution of the Committee, the language of which should be dictated by prevailing circumstances. The Working Group has once again considered the issue. In that connection, it notes that some changes have occurred in South Africa since the adoption of those conclusions by the Working Group in 1991 4/ to the point that many political observers are predicting the establishment of a multiracial transitional Government in South Africa by the end of 1992 or earlier. The Working Group heard representatives of the African National Congress (ANC) and the Pan Africanist Congress of Azania (PAC). The Working Group recommends that the Special Committee should continue to follow closely the situation in that country, with a view to preparing appropriate

conclusions and recommendations which take into account prevailing circumstances.

3. Activities of foreign economic and other interests and military activities and arrangements in the Non-Self-Governing Territories

10. The Working Group notes the history of the item on activities of foreign economic and other interests. It also considers that, while the Territories in the Caribbean, Pacific and other regions might have problems related to the activities of foreign economic and other interests, some members as well as representatives of Territories have expressed the view that such activities do not necessarily impede the process of self-determination and that some of the Territories themselves encourage foreign investment and other activities. In the light of the above, the Working Group recommends that the Committee review the title of the item accordingly. Should the decision be taken to amend the formulation of the item, the Committee, in accordance with established procedure, may wish to seize the General Committee of the matter in order for it to examine the Committee's proposal and make the appropriate recommendation to the General Assembly.

11. Even though the question of military activities and arrangements in Non-Self-Governing Territories does not constitute a separate item on the agenda of the General Assembly, the Special Committee has for many years considered such activities under a separate decision on the subject. Bearing this in mind and also the need for the widest support possible for the texts of the Special Committee, the Working Group recommends that the Committee should consider revising and updating, as appropriate, its draft decision on this matter. The Working Group is also of the opinion that consideration of military activities in those Territories where military bases and installations exist should continue in the pattern adopted by the Special Committee last year.

4. Practice of name-calling

12. The Working Group notes that the question of name-calling is one of the most controversial issues dividing the Special Committee and the Fourth Committee. The Working Group is of the view that the practice of name-calling may face even stronger opposition at the forty-seventh session. In view of the above, the Working Group recommends that the practice of name-calling in the Committee's resolutions be avoided as far as possible.

5. Language of the Special Committee's resolutions and other documents

13. The Working Group notes that significant progress has been made since 1990 with regard to the language of the resolutions and/or decisions proposed by the Special Committee, but considers that there is room for improvement in

that respect. The Special Committee may wish to entrust its Bureau with the responsibility for reviewing the resolutions/decisions concerned so as to make changes in the texts to be submitted for the consideration of the Committee at its summer session, while upholding the thrust and spirit of General Assembly resolution 46/181 and the Declaration on the Granting of Independence to Colonial Countries and Peoples. 5/

C. Review of the method of work of the Committee, its agenda and list of Territories

14. As regards the list of Territories, the Working Group notes that the question of the list to which the Declaration is applicable is an item on the agenda of the Special Committee and that the Committee, at its 1991 session, decided to continue consideration of the question at its next session subject to any directive which the General Assembly might give at its forty-sixth session. The Working Group further notes that a number of delegations have repeatedly objected to the consideration by the Special Committee of the question of the Trust Territory of the Pacific Islands. The Working Group analysed very carefully the reasons for these objections and reviewed the record of the Committee's consideration of those issues over the past few years. It should be noted also that the Fourth Committee does not take any action on the resolution submitted by the Special Committee on the question. In view of the above and having noted that the Security Council, by its resolution 683 (1990) of 22 December 1990, had terminated the Trusteeship Agreement in respect of the Federated States of Micronesia, the Marshall Islands and the Northern Mariana Islands, and that extensive discussions are now under way between the Administering Authority and the Trust Territory of the Pacific Islands (the last entity still under the International Trusteeship System) to find a solution to the question of the future political status of that Territory, the Working Group recommends, in order to allow for a climate conducive to a positive and constructive outcome of the above discussions, that the Committee defer consideration of the Trust Territory of the Pacific Islands until 1993. It also suggests that requests for hearing be given due consideration by the Special Committee on the basis of its usual practice.

15. As regards Puerto Rico, the Working Group notes that there is an annual discussion in the Committee on the question of Puerto Rico, including a hearing of the organizations interested in the question, and the adoption of a resolution after the hearing. Noting that regularly held elections in the United States and Puerto Rico may bring about new administrations holding their own views on the future political status of Puerto Rico, and that a dialogue in this respect could be renewed with a view to giving a new impetus towards reaching a mechanism for the definition of the future status of the Territory, the Working Group recommends that the Committee defer consideration of the question of Puerto Rico until 1993. It also suggests that requests for hearings be given due consideration by the Special Committee on the basis of its usual practice.

D. Cooperation of the administering Powers

16. In view of the importance that the Special Committee attaches to the full cooperation of the administering Powers, the Working Group discussed that question extensively. The Working Group shares the Committee's view that efforts should be made to secure the full participation of all the administering Powers in the work of the Committee; that the practice of regular visiting missions should be restored; that the administering Powers should continue to provide the Committee with regular, timely and up-to-date information on the Territories under their administration in accordance with Article 73 e of the Charter of the United Nations; and that the administering Powers should facilitate or continue to facilitate the participation of representatives of Non-Self-Governing Territories in the work of the Committee.

17. The Working Group is aware, in particular, of the importance that the Special Committee attaches to the questions of the sending of regular visiting missions to Non-Self-Governing Territories and the participation of representatives of Non-Self-Governing Territories in its work. As regards visiting missions, the Working Group notes that some Territories have not received United Nations visiting missions for more than 10 years. The Working Group recommends that the Chairman of the Committee, in his consultations with the administering Powers in 1992 on that question, should appeal to them to consider, as a matter of priority, the dispatch of visiting missions to those Territories.

18. As regards the participation of representatives of Non-Self-Governing Territories in the work of the Special Committee, the Working Group notes that, despite repeated recommendations of the General Assembly in its resolutions, the participation of Non-Self-Governing Territories in United Nations activities on decolonization has still not reached the desired level of frequency. The Working Group is aware that some Territories may lack the financial resources that would permit their participation more frequently. In this connection, the Working Group wishes to recall the statement made by the representative of the United States in the Fourth Committee in October 1991 regarding the original intention of the Special Committee, which was to serve as a forum in which representatives of the Territories could present their views annually on the degree to which their administering Power was fulfilling its obligations; specific problems would be raised, differences of opinion would be aired, practical solutions would be sought, all with the specific interests of the peoples of the Territories in mind. 6/ In the light of the above, the Working Group suggests that the Special Committee should recommend to the General Assembly the provision of financial assistance to facilitate the participation of representatives of the territorial governments or other appropriate authorities in the work of the United Nations during consideration of their respective territories in the field of decolonization, bearing in mind that related costs could be met from appropriate provisions of the programme budget of the Plan of Action for the International Decade for the Eradication of Colonialism designated for this purpose.

19. The Working Group hopes that favourable consideration by the Special Committee of the above recommendations would improve the efficiency of its work and would also contribute to the restoration and the strengthening of cooperation between the Special Committee and the administering Powers, thus facilitating the attainment of the goals set forth in General Assembly resolution 1514 (XV) and the Plan of Action for the International Decade for the Eradication of Colonialism in the remaining Territories by the year 2000.

Notes

1/ A/46/634/Rev.1, annex.

2/ A/AC.109/PV.1398.

3/ A/AC.109/L.1756.

4/ A/AC.109/L.1756.

5/ General Assembly resolution 1514 (XV).

6/ A/C.4/46/SR.3, para. 18.